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Atty. Dkt. No. 023971-0319

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Shinji MATSUMOTO et al.

Title: AUTOMOTIVE LANE DEVIATION AVOIDANCE SYSTEM

Appl. No.: 10/693,946

Filing Date: 10/28/2003

Examiner: Unassigned

Art Unit: 3661

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

In a counterpart Japanese application, a Japanese Office Action issued on November 16, 2004. According to an English translation of the Japanese Office Action obtained by Applicants' representative, the Japanese Patent Office made certain characterizations of the references.

According to an English translation of the Japanese Office Action, figure 8 and related description of JP 2000-25631 (submitted in an Information Disclosure Statement dated September 23, 2004) teach an automotive lane deviation avoidance system comprising a lane-deviation decision section that determines the possibility of the host vehicle's lane deviation from the driving lane from the driving pattern model based on the axel pedal opening, and a lane deviation avoidance section that prevents the deviation from the driving lane by correcting the host's course into the direction to avoid the lane deviation when said lane-deviation decision section determines that there is a possibility of the host vehicle's lane deviation from the driving lane, wherein said lane-deviation avoidance section calculates a host vehicle's course correction value to avoid lane deviation. ("Cited Invention 1", hereafter)

According to an English translation of the Japanese Office Action, in general, the throttle opening and the axel (pedal) opening are in correlation relationship and they are exchangeable (for instance, JP 2002-123898, etc.).

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these

characterizations should not be construed as an admission of or agreement with the opinions expressed in the Japanese Office Action.

An English translation of the foreign-language document is not readily available. However, an English language abstract is provided herewith. Consequently, the foreign language document has been submitted in compliance with the PTO requirements and, therefore, the document should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

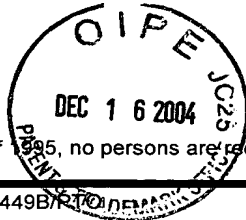
Respectfully submitted,

Date **DEC 16 2004**

By 

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MODIFIED PTO/SB/08 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT  
Date Submitted: **DEC 16 2004**  
(use as many sheets as necessary)

**Complete if Known**

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|------------------------|------------------|
| Application Number     | 10/693,946       |
| Filing Date            | 10/28/2003       |
| First Named Inventor   | Shinji Matsumoto |
| Group Art Unit         | 3661             |
| Examiner Name          | Unassigned       |
| Attorney Docket Number | 023971-0319      |

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | U.S. Patent Document |                                   | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|-------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------|
|                    |                       | Number               | Kind Code <sup>2</sup> (if known) |                                                 |                                                  |                                                                           |
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**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                   | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------|----------------|
|                    |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                                  |                                                  |                                                                           |                |
|                    | A1                    | JP                      | 2002-123898         | A                                 | EQUOS RESEARCH CO., LTD., ET AL.                 | 04-26-2002                                       |                                                                           | Abst.          |
|                    |                       |                         |                     |                                   |                                                  |                                                  |                                                                           |                |
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**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>6</sup> |
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Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.